

**SheppardMullin**

# MEMO ENDORSED

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File Number: 0EA3-395731

September 26, 2024

VIA ECF

Hon. Gary Stein  
United States Magistrate Judge  
U.S. District Court, Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: Brown v. The Kroger Co., Case 1:24-cv-05600-PAE-GS

Dear Judge Stein:

I represent Defendant The Kroger Co. ("[Defendant]") in connection with the above-referenced matter. I write to request a brief adjournment of the initial case management conference currently scheduled for October 2, 2024 at 10:00 a.m. before Your Honor. The reason for this request is that I have a scheduling conflict during that time. I have reached out to Mr. Rami M. Salim, counsel for Plaintiff, and Mr. Salim consents to an adjournment. Counsel for both parties would be generally available during the week of October 20th.

Pursuant to Your Honor's Individual Rules, Defendant states that there have been no previous requests for an adjournment.

Please feel free to contact me if Your Honor desires any additional information.

Respectfully,

/s/ Sean J. Kirby

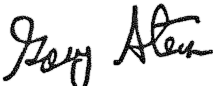
Sean J. Kirby  
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4883-8075-9017.1

cc: Rami M. Salim, Esq.

Application granted. Due to scheduling conflicts, the Initial Case Management Conference ("ICMC") is rescheduled to October 31, 2024 at 3:00 PM. Accordingly, the parties' time to submit a proposed case management plan and scheduling order is extended to October 24, 2024. All other information contained in the Court's August 30, 2024 ICMC Order remains operative. (See Dkt. No. 10).

Dated: September 27,  
2024 New York, New York

  
Gary Stein  
United States Magistrate Judge  
Southern District of New York